

Assembly Bill No. 1473

CHAPTER 606

An act to repeal and add Article 2 (commencing with Section 13100) of Chapter 2 of Part 3 of Division 3 of Title 2 of the Government Code, relating to capital financing.

[Approved by Governor October 5, 1999. Filed
with Secretary of State October 10, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1473, Hertzberg. Capital outlay: state planning and funding.

Existing law requires the Director of Finance to prepare annually a report projecting the state's potential need for the financing of major capital outlay projects over a 10-year period. Existing law generally prohibits funds appropriated for capital outlay from being expended by a state agency until the Department of Finance and the State Public Works Board have approved preliminary plans for the project to be financed from the appropriation for capital outlay. Existing law also requires the Governor's Budget to contain a complete plan and itemized statement of all proposed expenditures of the state and all estimated revenues.

This bill would require the Governor, in conjunction with the Governor's Budget, to submit annually to the Legislature a proposed 5-year infrastructure plan containing specified information concerning infrastructure needed by state agencies, schools, and postsecondary institutions and a proposal for funding the needed infrastructure.

The people of the State of California do enact as follows:

SECTION 1. This act shall be known and may be cited as the California Infrastructure Planning Act.

SEC. 2. Article 2 (commencing with Section 13100) of Chapter 2 of Part 3 of Division 3 of Title 2 of the Government Code is repealed.

SEC. 3. Article 2 (commencing with Section 13100) is added to Chapter 2 of Part 3 of Division 3 of Title 2 of the Government Code, to read:

Article 2. Infrastructure Plan

13100. It is the intent of the Legislature in enacting this article that the state shall establish and annually update a five-year plan for funding infrastructure. The plan shall include input by the Legislature as provided in Section 13104. The plan shall identify state

infrastructure needs and set out priorities for funding. The plan need not identify specific infrastructure projects to be funded, but it shall be sufficiently detailed to provide a clear understanding of the type and amount of infrastructure to be funded and the programmatic objectives to be achieved by this funding. The plan is intended to complement the existing state budget process for appropriating funds for infrastructure by providing a comprehensive guideline for the types of projects to be funded through that process.

13101. As used in this article, “infrastructure” means real property, including land and improvements to the land, structures and equipment integral to the operation of structures, easements, rights-of-way and other forms of interest in property, roadways, and water conveyances.

13102. Beginning January 10, 2002, in conjunction with the Governor’s Budget submitted pursuant to Section 13337, the Governor shall submit annually a proposed five-year infrastructure plan to the Legislature. This plan shall cover a five-fiscal-year period beginning with the fiscal year that is the same as that covered by the Governor’s Budget with which it is being submitted.

The infrastructure plan shall contain the following information for the five years it covers:

(a) (1) Identification of new, rehabilitated, modernized, improved, or renovated infrastructure requested by state agencies to fulfill their responsibilities and objectives as identified in the strategic plans that they are required to prepare pursuant to Section 11816.

(2) Aggregate funding for transportation as identified in the four-year State Transportation Improvement Program Fund Estimate prepared pursuant to Sections 14524 and 14525.

(3) Infrastructure needs for Kindergarten through grade 12 public schools necessary to accommodate increased enrollment, class size reduction, and school modernization.

(4) The instructional and instructional support facilities needs for the University of California, the California State University, and the California Community Colleges.

(b) The estimated cost of providing the infrastructure identified in subdivision (a).

(c) A proposal for funding the infrastructure identified in subdivision (a), subject to the following criteria:

(1) If the funding proposal does not recommend funding the entirety of the infrastructure identified in subdivision (a), then the proposal shall specify the criteria and priorities used to select the infrastructure it does propose to fund.

(2) The funding proposal shall identify its sources of funding and may include, but is not limited to, General Fund, state special funds, federal funds, general obligation bonds, lease revenue bonds, and installment purchases. If the plan proposes the issuance of new state

debt, it shall evaluate the impact of that debt on the state's existing overall debt position.

(3) The funding proposal is not required to recommend specific projects for funding, but may instead recommend the type and quantity of infrastructure to be funded in order to meet programmatic objectives which shall be identified in the proposal. However, any capital outlay or local assistance appropriations intended to fund infrastructure included in the Governor's Budget that coincides with the first year of the infrastructure plan shall derive from, and be encompassed by, the funding proposal contained in the plan.

13103. The Governor may order any entity of state government to assist in preparation of the infrastructure plan.

13104. It is the intent of the Legislature that the proposed infrastructure plan be considered by the Legislature in conjunction with its consideration of the Budget Bill.

